

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

JACK RUSSELL GRAHAM & BETSY ANN GRAHAM

CASE NO. 09-70534-HDH-13

AKA1:
DBA1:
SS#1: xxx-xx- 4942

AKA2:
DBA2:
SS#2: xxx-xx- 0980

REPORT OF 341 MEETING

I. 341 MEETING REPORT:

A. Orig. Date: 11/16/2009 Orig. Time: 12:00 PM Reset Date: Reset Time:
B. Meeting Results: Adjourned
C. Debtor(s): Debtor 1 Appeared Debtor 2 Appeared
D. Attorney for Debtor(s): Appeared
E. Creditor Appearance: None
F. Amount Paid to the Trustee as of 11/16/2009 \$0.00 First Payment Due Date: 11/19/2009
G. File Trustee's Motion to Dismiss because
H. B22C Information: B22C Form is: Complete
Budgeted Income: \$6,039.26 Expense: \$5,731.26 Surplus: \$308.00
Plan Payment: \$308.00 Monthly Plan Term(Months): 60
I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00
Objection to Exemption of:
Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:
Object to Invoke Stay Pleading
Case Converted from Chapter 7, Bar Date Set: 2/14/2010 Date Converted from Chapter 7:
J. Required Information: Bank Statements -- ????: business bank accts, _x_0069: Personal
K. Business Information: Business Questionnaire; Cash Flow;
L. Object to Confirmation: Yes
FYI: \$34,050 hardacre if objection is filed
Sch I fails to include all income
Sch J lists excessive expenses
Failure to include all disposable income
M. Financial Management Class: Debtor 1 Appeared Debtor 2 Appeared
N. Eligibility:
Certificate of Credit Counseling Filed: Both Debtor 1 and Debtor 2
Credit Counseling Provider Approved: Yes
Debt Limits Exceeded (Secured-\$1,010,650; Unsecured-\$336,900): No
O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00
Affidavit and Disclosure of Domestic Support Obligations Received: Yes

P. Remarks: MTD
-Business Questionnaire
-Cash Flow
-Bank Statements -- ????: business bank accts, _x_0069: Personal
Wichita National Checking
Questions
-FYI: WW is for \$995 & Plan payment is only \$308.
-Only one personal checking & savings account?
Yes
-Need business bank accounts?
Wichita National Checking

6308 Iola Avenue Lubbock, TX 79424

(806) 748-1980 Phone (806) 748-1956 Fax

-How many business accounts?

One business checking

-Mrs decrease in salary starting 8/11/09 permanent?

Yes

-Is Bling Bling & Things business still in operation?

Yes

-How is Mrs business income determined?

Keeps records.

-What is a average income from business?

Varied.

-Why is no business income included?

No draws or income from the business. It is all reinvested in the business.

-Sch I Mrs. business income not included.

-\$611/mo per bank statements for period 4/09-8/09.

She did not know off the top of her head what deposits would be from.

-How much mileage is normally received per month?

Does not normally receive mileage, but if she purchases something for the business she will be reimbursed.

-22 year old daughter & 18 year old son moving out in near future?

Yes both in school & will live there for foreseeable future.

-Sch J expenses are high.

-Sch J expenses are \$5,731.26 & National standard for 4 is \$4250

-Sch B fail to include all vehicles

-Only 09 Chevy PU & 96 Dodge vehicles?

Yes

Objections

-FYI: \$34,050 hardacre if objection is filed

-Sch B fail to include all vehicles-only thoes 2---will not be pursued

-Sch I fails to include all income

-Sch J lists excessive expenses

-Failure to include all disposable income

Need a better explanation for difference in personal bank statements.

Need bank statements and possibly income included in Sch I. Bank statements may show deposits.

Dated: 11/16/2009

/s/ Walter O'Cheskey

Standing Bankruptcy Trustee

By: Brent Hagan

Case Number:	09-70534
Debtor:	Graham
Attorney:	MJW
Presiding Officer:	Brent Hagan
Calculation Date:	11/16/2009 8:56

Domestic Support Input name from Plan	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral Input name from Plan	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor Input name from Plan	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees Paid Through the Plan	\$2,719.00		\$2,719.00
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Noticing Fees	\$94.00		\$94.00
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Clerk Filing Fees	\$0.00		\$0.00
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Hardacre Minimum	\$0.00	Greater Of ----->	
Chapter 7 Minimum (Gross)	\$0.00		
Less Trustee Fees	\$0.00		
Less Attorney Fees	\$2,719.00		
Less Noticing Fees	\$94.00		\$0.00
Less Clerk Filing Fees	\$0.00		
Less Scheduled Priority Claims	\$0.00		
Less Other (Explain Below)	\$0.00		
Chapter 7 Minimum (Net)	\$0.00		

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$117,684.24
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Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$3,115.11
Debtor Plan Base (Monthly Payment X Term)	\$18,480.00
Surplus (Debtor Plan Base - Calculated Base)	\$15,364.89

Comments:

\$34,050 hardacre if objection is filed

Case Number:	0
Debtor:	0
Attorney:	0
Presiding Officer:	0
Calculation Date:	11/16/2009 8:56

Schedule I Gross Income		\$6,939.98
Less Line 57 B22C		\$6,372.47
Adjustments (Enter as positive to add, negative to subtract)		
Adjustment out		(\$567.51)
Month Disposable Income Available		\$0.00
Multiplier		60
Minimum to Unsecureds		\$0.00

Comments: